

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE ORGANOGENESIS
SECURITIES LITIGATION

No. 04-CV-10027 (JLT)

**ASSENTED-TO MOTION OF DEFENDANT JOHN J. ARCARI TO FILE A
REPLY MEMORANDUM IN SUPPORT OF HIS MOTION FOR SUMMARY
JUDGMENT ON ALL CLAIMS ASSERTED BY BRUNO HOFMANN**

Pursuant to Local Rule 7.1(B)(3), defendant John J. Arcari (“Mr. Arcari”) hereby respectfully requests that the Court permit him to file a Reply Memorandum In Support of His Motion for Summary Judgment on All Claims Asserted by Bruno Hofmann, and a supporting affidavit. As grounds for this motion, Mr. Arcari states that he wishes to address the plaintiffs’ contention that this motion should be stayed, pursuant to Rule 56(f) of the Federal Rules of Civil Procedure, pending completion of discovery. Because Mr. Arcari’s motion goes to the heart of this Court’s jurisdiction to hear this case – to wit, Mr. Hofmann lacks standing to sue Mr. Arcari for securities fraud – Mr. Arcari submits that his motion for Summary Judgment is ripe for decision today, both on its own and in connection with the plaintiffs’ now-pending Motion for Class Certification.

Local Rule 7.1(A)(2) Certification

Pursuant to Local Rule 7.1(A)(2), I certify that on December 18, 2006 I conferred via email with counsel for plaintiffs and the other defendants and that all parties assent to Mr. Arcari’s Motion to File a Reply Memorandum.

Respectfully submitted,

JOHN J. ARCARI

By his attorneys,

/s/ Sara Jane Shanahan

Sara Jane Shanahan (BBO #567837)
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Dated: December 19, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants as of December 19, 2006.

/s/ Sara Jane Shanahan

Sara Jane Shanahan (BBO #567837)